

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES OF AMERICA,

v.

CR 14

28

Alfredo Ochoa Valladares, a/k/a
"Chickoproblema,"; Jose Abraham Ibarra -
Martinez, a/k/a "Vampiro,";
Anthonio Rueda - Ayala, a/k/a "Cumbria,";
Esmeralda Luviano, and Rosalio Ortiz

DEFENDANT(S).

INDICTMENT

COUNT ONE: 21 U.S.C. § 846, 841(a)(1) and 841(b)(1)(A)(viii) -
Conspiracy To Distribute 500 grams or more of a Mixture and
Substance Containing a Detectable Amount of Methamphetamine

A true bill.

Nancy J. Peterson
Foreman

Filed in open court this 16th day of

January 2014

Clerk

Bail, \$

no bail sealed arrest warrants

DOCUMENT NO.	CGA#
1	INITIALS
c	
DISTRICT COURT CRIMINAL JUSTICE PROCESSING	

FILED

2014 JAN 16 P 12:06

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EJD
HRL

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALFREDO OCHOA VALLADARES,
a/k/a "CHICKPROBLEMA,"
JOSE ABRAHAM IBARRA-Martinez,
a/k/a "VAMPIRO,"
ANTHONIO RUEDA-AYALA,
a/k/a "CUMBRIA,"
ESMERALDA LUVIANO, and
ROSALIO ORTIZ,

Defendants.

No
CR 14 28

VIOLATIONS: 21 U.S.C. §§ 846, 841(a)(1), and
841(b)(1)(A)(viii) - Conspiracy to Distribute 50)
Grams or More of a Mixture or Substance Containing
Methamphetamine

SAN JOSE VENUE

(UNDER SEAL)

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A)(viii))

Beginning at a time unknown to the Grand Jury, but no later than September 1, 2013, and
continuing through and including December 19, 2013, in the Northern District of California and
elsewhere, the defendants,

ALFREDO OCHOA VALLADARES,
a/k/a "CHICKPROBLEMA,"

INDICTMENT (UNDER SEAL)

JOSE ABRAHAM IBARRA-Martinez,
a/k/a "VAMPIRO,"
ANTHONIO RUEDA-AYALA,
a/k/a "CUMBRIA,"
ESMERALDA LUVIANO,
and
ROSALIO ORTIZ

did knowingly and intentionally conspire with other persons known and unknown to the Grand Jury to distribute a Schedule II controlled substance, to wit, 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A)(viii).

DATED: January 16, 2014

A TRUE BILL.

Nancy J. Peterson
FOREPERSON

MELINDA HAAG
United States Attorney

J. Douglas Wilson
J. DOUGLAS WILSON
Chief, Criminal Division

(Approved as to form: )
Richard Cheng
Assistant United States Attorney

INDICTMENT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See attachment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

DEFENDANT - U.S.

Alfredo Ochoa Valladares. a/k/a "Chickoproblema"

DISTRICT COURT NUMBER

CR 14 28

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Richard C. Cheng

DEFENDANT**IS NOT IN CUSTODY**
 1) ☐ Has not been arrested, pending outcome this proceeding.
☐ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

11

SEALED INDICTMENT

United States v. Alfredo Ochoa Valladares, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ALFREDO OCHOA VALLADARES**, a/k/a "Chickoproblema"

Count 1: 21 U.S.C. § 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To Distribute 500 grams or more of a Mixture and Substance Containing a Detectable Amount of Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;

Minimum 5 years to an available lifetime supervised release;
\$100 mandatory special assessment.

E-filing

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

See attachment

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**DEFENDANT - U.S.**

JOSE ABRAHAM IBARRA-MARTINEZ, a/k/a "Vampiro"

DISTRICT COURT NUMBER

CR 14 28

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Richard C. Cheng

DEFENDANT**IS NOT IN CUSTODY**1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount: No Bail

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

12

SEALED INDICTMENT

United States v. Alfredo Ochoa Valladares, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **JOSE ABRAHAM IBARRA-MARTINEZ**, a/k/a "Vampiro"

Count 1: 21 U.S.C. 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To Distribute 500 grams or more of a Mixture and Substance Containing a Detectable Amount of Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;

Minimum 5 years to an available lifetime supervised release;
\$100 mandatory special assessment.

E-filing

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

See attachment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

DEFENDANT - U.S.

ANTHONIO RUEDA-AYALA, a/k/a "Cumbria"

DISTRICT COURT NUMBER

CR 14

28 HRL

DEFENDANT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Richard C. Cheng

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

13

SEALED INDICTMENT

United States v. Alfredo Ochoa Valladares, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ANTHONIO RUEDA-AYALA**, a/k/a "Cumbria"

Count 1: 21 U.S.C. 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To
Distribute 500 grams or more of a Mixture and Substance Containing a
Detectable Amount of Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;

\$10,000,000 fine;

Minimum 5 years to an available lifetime supervised release;

\$100 mandatory special assessment.

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See attachment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION
DEFENDANT - U.S.

ESMERALDA LUVIANO

DISTRICT COURT NUMBER

CR 14 28
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Richard C. Cheng

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

14

SEALED INDICTMENT

United States v. Alfredo Ochoa Valladares, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ESMERALDA LUVIANO**

Count 1: 21 U.S.C. 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To Distribute 500 grams or more of a Mixture and Substance Containing a Detectable Amount of Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;
\$10,000,000 fine;

Minimum 5 years to an available lifetime supervised release;
\$100 mandatory special assessment.

E-filing

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See attachment

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See attachment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S. DISTRICT COURT

ROSALIO ORTIZ

DISTRICT COURT NUMBER

CR 14

28

HRL

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Melinda Haag

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned)

Richard C. Cheng

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges

 2) ☐ Is a Fugitive

 3) ☐ Is on Bail or Release from (show District)
IS IN CUSTODY
 4) ☐ On this charge

 5) ☐ On another conviction

☐ Federal ☐ State

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

15

SEALED INDICTMENT

United States v. Alfredo Ochoa Valladares, et.al.

ATTACHMENT TO PENALTY SHEET

Defendant: **ROSALIO ORTIZ**

Count 1: 21 U.S.C. 846, 841(a)(1) and 841(b)(1)(A)(viii) - Conspiracy To
Distribute 500 grams or more of a Mixture and Substance Containing a
Detectable Amount of Methamphetamine

Maximum Penalties:

Mandatory Minimum 10 years imprisonment with an available life imprisonment;

\$10,000,000 fine;

Minimum 5 years to an available lifetime supervised release;

\$100 mandatory special assessment.